

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 23-20325-CR-RUIZ(s)

18 U.S.C. § 2422(b)

18 U.S.C. § 2251(a) and (e)

18 U.S.C. § 2252(a)(2) and (b)(1)

18 U.S.C. § 2253(a)

18 U.S.C. § 981(a)(1)(C)

UNITED STATES OF AMERICA

vs.

WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"

Defendant.

FILED BY MP D.C.

Feb 22, 2024

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - MIAMI

SUPERSEDING INDICTMENT

The Grand Jury charges that:

COUNT 1

Coercion and Enticement of a Minor to Engage in Sexual Activity
(18 U.S.C. § 2422(b))

From on or about October 4, 2020, and continuing through on or about March 16, 2021, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"

using any facility and means of interstate and foreign commerce, did knowingly persuade, induce, and entice an individual who had not attained the age of 18 years, that is, MINOR VICTIM 1, to engage in any sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b).

COUNT 2

**Production of Visual Depictions Involving Sexual Exploitation of Minors
(18 U.S.C. § 2251(a) and (e))**

From on or about October 4, 2020, and continuing through on or about March 16, 2021, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"**

did employ, use, persuade, induce, and entice a minor, that is, MINOR VICTIM 1, to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and such visual depiction having been produced and transmitted using materials, that is, a cellular device, that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, by any means, including by computer, and such visual depiction having actually been transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 3

**Coercion and Enticement of a Minor to Engage in Sexual Activity
(18 U.S.C. § 2422(b))**

On or about March 11, 2021, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the defendant,

**WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"**

using any facility and means of interstate and foreign commerce, did knowingly persuade, induce, and entice an individual who had not attained the age of 18 years, that is, MINOR VICTIM 2, to engage in any sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b).

COUNT 4

**Production of Visual Depictions Involving Sexual Exploitation of Minors
(18 U.S.C. § 2251(a) and (e))**

On or about March 11, 2021, in Miami-Dade County, in the Southern District of Florida,
and elsewhere, the defendant,

**WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"**

did employ, use, persuade, induce, and entice a minor, that is, MINOR VICTIM 2, to engage in any sexually explicit conduct for the purpose of producing any visual depiction of such conduct, and such visual depiction having been produced and transmitted using materials, that is, a cellular device, that had been mailed, shipped, and transported in and affecting interstate and foreign commerce, by any means, including by computer, and such visual depiction having actually been transported and transmitted using any means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, in violation of Title 18, United States Code, Section 2251(a) and (e).

COUNT 5

**Receipt of Visual Depictions Involving Sexual Exploitation of Minors
(18 U.S.C. § 2252(a)(2) and (b)(1))**

On or about January 19, 2023, in Miami-Dade County, in the Southern District of Florida,
and elsewhere, the Defendant,

**WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"**

did knowingly receive any visual depiction, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer, and the production of such visual depiction

involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1).

COUNT 6

**Attempted Receipt of Visual Depictions Involving Sexual Exploitation of Minors
(18 U.S.C. § 2252(a)(2) and (b)(1))**

From on or about April 19, 2023, through on or about April 27, 2023, in Miami-Dade County, in the Southern District of Florida, and elsewhere, the Defendant,

**WILLIAM MCCAUGHAN, JR.,
a/k/a "WMCCAUGH,"**

did knowingly attempt to receive any visual depiction, using any means and facility of interstate and foreign commerce, and that had been shipped and transported in and affecting interstate and foreign commerce, by any means, including by computer, and the production of such visual depiction involved the use of a minor engaged in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2), and such visual depiction was of such conduct, in violation of Title 18, United States Code, Section 2252(a)(2) and (b)(1).

FORFEITURE ALLEGATIONS

1. The allegations of this Superseding Indictment are re-alleged and by this reference fully incorporated herein for the purpose of alleging forfeiture to the United States of America of certain property in which the Defendant, **WILLIAM MCCAUGHAN, JR.**, has an interest.

2. Upon conviction of a violation of Title 18, United States Code, Section 2422, as alleged in this Superseding Indictment, the Defendant shall forfeit to the United States:

- a. any property, real or personal, that was used or intended to be used to commit or to facilitate the commission of such violation; and

- b. any property, real or personal, constituting or derived from any proceeds that such person obtained, directly or indirectly, as a result of such violation, pursuant to Title 18, United States Code, Section 981(a)(1)(C).

3. Upon conviction of a violation of Title 18, United States Code, Sections 2251 or 2252, as alleged in this Superseding Indictment, the Defendant, **WILLIAM MCCAUGHAN, JR.**, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 2253(a), the following property:

- a. any visual depiction described in Title 18, United States Code, Section 2251, 2251A, 2252, or any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of Title 18, United States Code, Chapter 110;
- b. any property, real or personal, constituting or traceable to gross profits or other proceeds obtained from such offense;
- c. any property, real or personal, used or intended to be used to commit or to promote the commission of such offense and any property traceable to such property.

All pursuant to Title 18, United States Code, Section 2253(a), and the procedures set forth in Title 21, United States Code, Section 853, as made applicable by Title 18, United States Code, Section 2253(b).

All pursuant to Title 18, United States Code, Sections 2253(a) and 981(a)(1)(C), and the procedures set forth at Title 21, United States Code, Section 853, as incorporated by Title 18, United States Code, Section 2253(b) and Title 28, United States Code, Section 2461(c).

A TRUE BILL



FOREPERSON

A handwritten signature in black ink, appearing to read 'M. Lapointe', written over a horizontal line.

MARKENZY LAPOINTE
UNITED STATES ATTORNEY

A handwritten signature in black ink, appearing to read 'Abbie D. Waxman', written over a horizontal line.

ABBIE D. WAXMAN
ASSISTANT UNITED STATES ATTORNEY

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

UNITED STATES OF AMERICA**CASE NO.:** 23-20325-CR-RUIZ(s)**v.**

WILLIAM MCCAUGHAN JR.,
a/k/a "WMCCAUGH,"

CERTIFICATE OF TRIAL ATTORNEY**Court Division (select one)**

- ☒ Miami ☐ Key West ☐ FTP
☐ FTL ☐ WPB

Superseding Case Information:

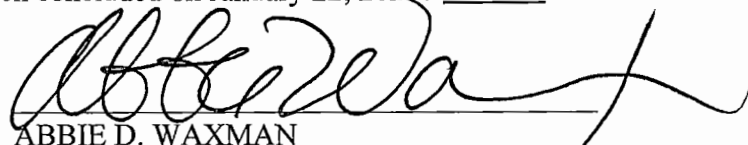
New Defendant(s) (Yes or No) No
Number of New Defendants _____
Total number of counts 4

I do hereby certify that:

1. I have carefully considered the allegations of the indictment, the number of defendants, the number of probable witnesses and the legal complexities of the Indictment/Information attached hereto.
2. I am aware that the information supplied on this statement will be relied upon by the Judges of this Court in setting their calendars and scheduling criminal trials under the mandate of the Speedy Trial Act, Title 28 U.S.C. §3161.
3. Interpreter: (Yes or No) No
List language and/or dialect: _____
4. This case will take 3-4 days for the parties to try.
5. Please check appropriate category and type of offense listed below:

(Check only one)	(Check only one)
I <input checked="" type="checkbox"/> 0 to 5 days	<input type="checkbox"/> Petty
II <input type="checkbox"/> 6 to 10 days	<input type="checkbox"/> Minor
III <input type="checkbox"/> 11 to 20 days	<input type="checkbox"/> Misdemeanor
IV <input type="checkbox"/> 21 to 60 days	<input checked="" type="checkbox"/> Felony
V <input type="checkbox"/> 61 days and over	
6. Has this case been previously filed in this District Court? (Yes or No) Yes
If yes, Judge Ruiz Case No. 23-20325-CR-RUIZ
7. Has a complaint been filed in this matter? (Yes or No) Yes
If yes, Magistrate Case No. 23-mj-03481-Louis
8. Does this case relate to a previously filed matter in this District Court? (Yes or No) No
If yes, Judge _____ Case No. _____
9. Defendant(s) in federal custody as of July 28, 2023
10. Defendant(s) in state custody as of _____
11. Rule 20 from the _____ District of _____
12. Is this a potential death penalty case? (Yes or No) No
13. Does this case originate from a matter pending in the Northern Region of the U.S. Attorney's Office prior to August 8, 2014 (Mag. Judge Shaniek Maynard)? (Yes or No) No
14. Does this case originate from a matter pending in the Central Region of the U.S. Attorney's Office prior to October 3, 2019 (Mag. Judge Jared Strauss)? (Yes or No) No
15. Did this matter involve the participation of or consultation with now Magistrate Judge Eduardo I. Sanchez during his tenure at the U.S. Attorney's Office, which concluded on January 22, 2023? No

By:


ABBIE D. WAXMAN

Assistant United States Attorney

FL Bar No. 109315

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

PENALTY SHEET

Defendant's Name: WILLIAM MCCAUGHAN, JR., a/k/a "WMCCAUGH"

Case No: _____

Count No. 1:

Coercion and Enticement of a Minor to Engage in Sexual Activity

Title 18, United States Code, Section 2422(b)

- * **Max. Term of Imprisonment:** Life
- * **Mandatory Min. Term of Imprisonment (if applicable):** 10 years
- * **Max. Supervised Release:** 5 years to life
- * **Max. Fine:** \$250,000

Count No. 2:

Production of Visual Depictions Involving Sexual Exploitation of Minors

Title 18, United States Code, Section 2251(a) and (e)

- * **Max. Term of Imprisonment:** 30 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 15 years
- * **Max. Supervised Release:** 5 years to life
- * **Max. Fine:** \$250,000

Count No. 3:

Coercion and Enticement of a Minor to Engage in Sexual Activity

Title 18, United States Code, Section 2422(b)

- * **Max. Term of Imprisonment:** Life
- * **Mandatory Min. Term of Imprisonment (if applicable):** 10 years
- * **Max. Supervised Release:** 5 years to life
- * **Max. Fine:** \$250,000

Count No. 4:

Production of Visual Depictions Involving Sexual Exploitation of Minors

Title 18, United States Code, Section 2251(a) and (e)

- * **Max. Term of Imprisonment:** 30 years
- * **Mandatory Min. Term of Imprisonment (if applicable):** 15 years

*Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.

*** Max. Supervised Release:** 5 years to life

*** Max. Fine:** \$250,000

Count No. 5:

Receipt of Visual Depictions Involving Sexual Exploitation of Minors

18 U.S.C. § 2252(a)(2) and (b)(1)

*** Max. Term of Imprisonment:** 20 Years

*** Mandatory Min. Term of Imprisonment (if applicable):** 5 Years

*** Max. Supervised Release:** Life

*** Max. Fine:** \$250,000

Count No. 6:

Attempted Receipt of Visual Depictions Involving Sexual Exploitation of Minors

18 U.S.C. § 2252(a)(2) and (b)(1)

*** Max. Term of Imprisonment:** 20 Years

*** Mandatory Min. Term of Imprisonment (if applicable):** 5 Years

*** Max. Supervised Release:** Life

*** Max. Fine:** \$250,000

***Refers only to possible term of incarceration, supervised release and fines. It does not include restitution, special assessments, parole terms, or forfeitures that may be applicable.**